



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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REFER TO FILE: PD-1

April 8, 2009

TO: Each Supervisor

FROM: Gail Farber
Director of Public Works

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD MEETING-MARCH 23, 2009

On March 23, 2009, my staff attended the regular Board meeting of the Alameda Corridor-East (ACE) Construction Authority. A copy of the March 23, 2009, agenda and adopted minutes of the February 23, 2009, regular Board meeting are attached. The following items were discussed at the meeting, which are of interest to the County of Los Angeles.

Agenda Item VI – The Chief Executive Officer reported that on March 11, 2009, President Obama signed into law an Omnibus Appropriations bill for Fiscal Year 2009, which appropriates \$1,800,000 to support the ACE grade separation projects in the San Gabriel Valley.

Agenda Item VIII – The Board approved staff's recommendation to adopt the resolutions authorizing the commencement of eminent domain proceedings to acquire private commercial properties required for the Baldwin Avenue Grade Separation project.

Agenda Item IX – The Board approved staff's recommendation to adopt a resolution of necessity authorizing the commencement of eminent domain proceedings to acquire a portion of a commercial property required for the Temple Avenue Train Diversion project.

Each Supervisor
April 8, 2009
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Agenda Item X – The Board approved staff's recommendation to authorize the Chief Executive Officer to amend the contract with Lim and Nascimento Engineering Corporation to add \$4,254,585 and new Task Order No. 4 to the contract for construction management services associated with the Baldwin Avenue Grade Separation project.

The next Board meeting will be held on April 27, 2009, at 2 p.m., at the Irwindale City Hall Chambers.

HF:pr

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Attach.

cc: Chief Executive Office (Lari Sheehan)
Executive Office



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

BOARD OF DIRECTORS

REGULAR MEETING AGENDA

Monday, March 23, 2009 – 2:00 P.M.

Irwindale City Hall

5050 Irwindale Avenue

Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

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| I. | Roll Call and Introductions | |
| II. | Pledge of Allegiance | |
| III. | Approval of Minutes of Meeting of February 23, 2009 | Action |
| IV. | Public Comment | |
| V. | Chairman's Remarks | Information |
| VI. | Chief Executive Officer's Report | Information |
| VII. | Review of Project Definition Report and Property Requirements for the Baldwin Avenue Grade Separation | Information |
| VIII. | Hearing on Notice of Resolutions of Necessity Nos. 09-01 & 09-02 for Property Acquisition for the Baldwin Avenue Grade Separation Project
No. 09-01 4250 Baldwin Avenue, El Monte, CA 91731
Owner: Nestle Waters North America Inc.
No. 09-02 10150 Lower Azusa Road, El Monte, CA 91731
Owner: Vons Grocery Company | Action |
| IX. | Hearing on Notice of Resolution of Necessity No. 09-03 for Property Acquisition for the Temple Ave Train Diversion Project
2882 Pomona Blvd. Pomona, CA
Owner: Altec Industries Inc. | Action |

The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

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| X. | Approval of Authorization for Construction Management Services for the Baldwin Avenue Grade Separation with LAN Engineering | Action |
| XI. | Adjournment | Action |



ACE Construction Authority
Board Meeting
February 23, 2009
Minutes

Chairman Spohn called the meeting to order at 2:00PM in the Irwindale City Council Chambers.

1. In attendance were:

Tim Spohn, Chairman, Industry
Stephen Atchley, Pomona
Patricia Wallach, El Monte
Rosemarie Vasquez, Montebello
Gloria Molina, Los Angeles County
Dave Spence, SGVCOG
Paul Eaton, SANBAG

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Legal Counsel
Deanna Stanley

Guests

Donna Lee, SCE
Al Contrearras, SCE
Marisela Cervantes, Assemblymember Charles Calderon

2. Pledge of Allegiance

Vice Chair member Vasquez led the pledge of allegiance.

3. Approval of Minutes of January 26, 2009.

A motion was made to approve the meeting minutes of January 26, 2009.
M/S/C: /Spence/Vasquez/Unanimous

4. Public Comment

Jack Owens, business owner at 4256 N. Baldwin Ave, El Monte expressed his disappointment with ongoing property negotiations with Paragon Partners on behalf of the agency. He distributed various maps depicting property lines and how his property was affected by the Baldwin Avenue grade separation project.

Member Spence later requested staff provide an overview of the Baldwin Avenue project and update of this matter at the next meeting.

5. Chairman's Remarks

Chairman Spohn thanked the staff for their efforts on the successful dedication of the Brea Canyon Road grade separation held February 20th. He also reminded the Board of the upcoming visit to Washington to meet with legislators to update them on the status of the ACE Project, thank them for their continued support and remind them of continued funding needs.

6. Chief Executive Officer Report

Mr. Richmond reported the rules for competing for economic stimulus funds have been unfolding at the MTA where allocation requests have been submitted for Baldwin Ave, Nogales Street and the San Gabriel Trench projects. He expressed his concerns over an equitable competition for funds and has communicated his concerns to the MTA.

Charles Tsang reviewed construction project photos for Temple Avenue 4th Track and Victoria Butler reviewed construction project progress photos of the Sunset Avenue grade separation project. Mr. Richmond introduced new staff member Cecilia Cardenas, Procurement Administrator.

Mr. Richmond reported he attended a Hearing of the House Transportation Subcommittee. Member Spence testified on behalf of the COG. He indicated at the members' request, he narrated helicopter tour for members of Congress and staff of the corridor which provided a good opportunity to review the magnitude of the corridor, its relationship to the economy and the need for mobility and safety along its route.

7. Approval to Receive and File Finance Committee Meeting Minutes of January 15, 2009.

A motion was made to receive and file the Finance Committee meeting minutes of January 15, 2009.

M/S/C:Baldwin/Vasquez/Unanimous

8. Approval of Contract for Audit Services

Mr. Richmond indicated the staff report was corrected to reflect approval of the request to approve the contract to Vasquez & Company in amount not to exceed \$35,000. He explained the amount reflected in the original staff report was the total of both the COG audit services and ACE rather than ACE exclusively. He indicated an RFP was issued in December and two proposals were received on January 7th. A technical advisory committee, comprised of the COG accountant, El Monte City Manager, SCAG auditor and ACE's Finance Director interviewed both proposers and unanimously selected Vasquez & Company. Member Vasquez requested the record reflect that there is no relationship with Vasquez & Company.

M/S/C:Atchley/Spence/Unanimous

9. Approval of Contract Amendment for Design Services During Construction for the Brea Canyon Road Grade Separation with DMJM+Harris

Mr. Richmond reminded the Board that the engineering began on the Baldwin Avenue project in 2003. In late 2004 it was realized that adequate construction funding was not secure to move the forward. In 2007 the project was reactivated and in 2008 property acquisitions began. The funding agreement with Caltrans requires expenditure of \$322,400 in design funds by April 2009, a deadline the project cannot meet. Staff is confident a one year extension will provide adequate time to expend allocated funds and has discussed the matter with Caltrans who requested ACE obtain Board approval for such request.

A motion was made to approve staff to request from Caltrans a 12-month time extension for \$322,440 in TEA-21 funding already allocated for the design of the Baldwin Avenue grade separation.

M/S/C:Vasquez/Wallach/Unanimous

10. Closed Session: Mr. Silvey announced the Board would adjourn to close session in accordance with Government Code Section 54956.9(a) to discuss pending litigation – Alameda Corridor-East Construction Authority v Shea Homes Limited Partnership et al. Case No. BC 338892.

When the Board returned from closed session Mr. Silvey announced there was no action taken which needed to be reported.

11. Adjournment. The Board adjourned at 2:44PM.